

CSD 1182 [01/10/08]

Name, Address, Telephone No. & I.D. No.	
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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West "F" Street, San Diego, California 92101-6991	
In Re IMPERIAL CAPITAL BANCORP, INC. Tax I.D. (BIN) #: <u>95-4596322</u> / S.S.#: XXX-XX-_____ Debtor.	BANKRUPTCY NO. 09-19431-11-LA

NOTICE OF MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO PAY PREPETITION PAYROLL TAXES

TO: OFFICE OF THE UNITED STATES TRUSTEE, TWENTY LARGEST UNSECURED CREDITORS AND OTHER INTERESTED PARTIES

You are herewith served with the attached Motion by the Debtor

for: an Order Pursuant to 11 USC Sections 105(a), 541, 549 and 507(a)(8) Authorizing the Debtor to Pay Prepetition Payroll Taxes

and any accompanying declarations.

If you object to the Court granting the relief requested in the Motion:

1. **YOU ARE REQUIRED** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. *If a Chapter 7, 11, or 12 case, determine which deputy to call by looking at the Bankruptcy Case No. in the above caption of this notice. If the case number is followed by the letter:*

- JM -	call (619) 557-6019	DEPARTMENT ONE (Room 218)
- LA -	call (619) 557-6594	DEPARTMENT TWO (Room 118)
- LT -	call (619) 557-6018	DEPARTMENT THREE (Room 129)
- PB -	call (619) 557-5157	DEPARTMENT FOUR (Room 328)

For ALL Chapter 13 cases, call (619) 557-5955.

2. **WITHIN FOURTEEN (14)¹ DAYS FROM THE DATE OF SERVICE OF THE MOTION**, you are further required to serve a copy of your DECLARATION IN OPPOSITION TO MOTION and separate REQUEST AND NOTICE OF HEARING [Local Form CSD 1184²] upon the undersigned moving party, together with any opposing papers. The opposing declaration shall be signed and verified in the manner prescribed by Federal Rule of Bankruptcy Procedure 9011, and the declaration shall:

¹ If you were served electronically or by mail, you have three (3) additional days to take the above-stated actions.

² You may obtain Local Form CSD 1184 from the office of the Clerk of the U.S. Bankruptcy Court.

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- a. identify the interest of the opposing party; and
 - b. state, with particularity, the grounds for the opposition.
3. **YOU MUST** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West "F" Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

IF YOU FAIL TO SERVE YOUR "DECLARATION IN OPPOSITION TO INTENDED ACTION" AND "REQUEST AND NOTICE OF HEARING" within the 14-day period provided by this notice, NO HEARING SHALL TAKE PLACE, you shall lose your opportunity for hearing, and the debtor or trustee may proceed to take the intended action.

DATED: January 8, 2010

/s/ Gregory K. Jones

Attorney for Moving Party